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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 000954

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G/TIP FOR PATEL, DRL FOR ANZALDUA

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TAGS: [PGOV](#) [SOCI](#) [ELAB](#) [KTIP](#) [KU](#)
SUBJECT: KUWAIT: SOUL-SEARCHING ON LABOR ABUSES

REF: KUWAIT 864

Classified By: Ambassador Deborah K. Jones for reasons 1.4 (b) and (d)

11. (C) SUMMARY. Stung by international media attention to widespread labor abuses by Kuwaiti contractors, the GOK continues to discuss and investigate TIP-related issues and promises significant action. Domestic media continue to provide wide coverage of the issues. Recent developments include numerous investigations by government and parliamentary committees into "visa trading" and labor law violations, the resignation of the Assistant Undersecretary for Labor Affairs at the Ministry of Social Affairs and Labor, and continued work by the GOK's human rights committee to fine-tune draft anti-TIP legislation. A special parliamentary session to discuss expatriate labor will be held on September 10. GOK officials claim they are trying hard to work with representatives from labor-sending countries' embassies to resolve issues but that some are uncooperative and difficult to deal with. Bangladesh's Foreign Minister visited September 3-4 and told journalists "if the GOK does what it has promised to do, we will have no complaints." The summer hiatus and observance of Ramadan make it unlikely that concrete progress will be achieved before Parliament reconvenes on October 26. END SUMMARY.

CONTINUED WORK ON AND COVERAGE OF TIP AND LABOR ISSUES

12. (C) Kuwaiti press reporting of TIP and labor issues has reached a crescendo in recent weeks, reflecting a general sense of embarrassment over egregious labor abuses and security concerns triggered by brief episodes of violent rioting of unpaid workers. One area of media focus has been the investigations by several governmental and parliamentary committees into alleged "visa trading" and labor law violations. Reports of these committees will be submitted to the Council of Ministers and the National Assembly when they reconvene in late October. A promise by Minister of Social Affairs and Labor, Bader Fahd Al-Duwaila, that "no one will be above the law" in this matter has generated particular interest since at least one other Cabinet member reportedly owns a major cleaning company on the side that employs (and exploits) expat laborers. On August 30, Dr. Saleh Al-Sheik, Assistant Undersecretary for Labor Affairs at the Ministry of Social Affairs and Labor, submitted his resignation to the minister amidst widespread press speculation about his involvement in "visa trading." (Note: The ministry attributed his resignation to poor health. End note.) Demonstrating how inflammatory this issue has become, 35 MPs voted on September 3 to hold a special parliamentary session on September 10 to discuss abuses of expatriate labor. Five MPs have also proposed their own anti-TIP legislation.

GOK TO PROPOSE AMENDMENTS TO DRAFT ANTI-TIP LEGISLATION AND
PLANS AWARENESS CAMPAIGN

13. (C) The GOK is finalizing amendments to the current draft anti-TIP legislation already passed by the Council of Ministers (COM), according to Dr. Mohammed Al-Ansari, Assistant Undersecretary for Legal Affairs and International Relations at the Ministry of Justice. During a meeting August 28, Al-Ansari told Emboffs that the GOK will propose amendments to the draft legislation based on international standards and a review of the United Arab Emirate's anti-TIP legislation. Al-Ansari, a member of the GOK's Human Rights Committee (HRC), advised that the amendments to the draft legislation and ongoing labor issues in the wake of the labor strikes that occurred in July (reftel) will be the main topics on the agenda for the next HRC meeting. The proposed amendments, together with findings from the HRC's subcommittees investigating labor violations, will be submitted to the COM for review in the next month. Al-Ansari revealed that the GOK has plans to launch a coordinated awareness campaign on TIP/labor issues after the next HRC meeting (which likely will take place in October after Ramadan). He added that Kuwait will participate in a human rights conference to be sponsored by the Arab League scheduled to be held in Doha in December.

GOK COMPLAINS OF NON-COOPERATION FROM BANGLADESH

14. (C) During a September 2 meeting with Colonel Saleh Al-Asfour, Director of the Investigation and Follow-up Office in the Immigration Department of the Ministry of Interior

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(MOI), Al-Asfour stated that Kuwait seeks to improve its image in the international community and resolve its TIP and labor issues. According to Al-Asfour, his office has direct daily contact with staff from the major labor-sending countries' embassies. He noted that as recently as two months ago, he and the Assistant Secretary of the MOI held meetings with the ambassadors from each of these embassies and discussed issues and ways in which to improve cooperation. He asserted that his office has good relationships with all the embassies, but complained that the Bangladeshi embassy in particular was not cooperative and could be difficult to deal with. As an example, he told PolCouns that his office currently had 35 Bangladeshis in custody, had repeatedly informed the Bangladeshi embassy of this situation and requested their involvement, but received no response. Col. Al-Asfour complained that the Bangladeshis are generally uncooperative in providing support for their citizens or in making available necessary travel documents to his office so they could transfer the individuals to the deportation center. He openly stated that the Bangladeshi laborers in Kuwait were the most troublesome of expatriates, responsible for all kinds of nefarious activities including prostitution and illegal international call centers.

15. (C) Subsequent to this meeting, the Foreign Minister of Bangladesh visited Kuwait on September 3-4 specifically to address this issue. In a meeting the Ministry of Foreign Affairs characterized as "extremely cordial", the two sides reportedly agreed that each could do more to address these problems. In a subsequent press interview, the FM remarked that if all the recent conditions laid down by the Ministry of Social Affairs and Labor are implemented then there should be no room for grievances from the workers. He added that the Government of Bangladesh would begin to screen laborers to ensure that "only good people are sent abroad." The FM also pointed out that the 40 KD per month minimum wage (approximately USD 150) was not sufficient given the high cost of living and the increase in food prices.

COMMENT

16. (C) The release of the Department's TIP report in June and the subsequent labor strikes in July (reftel) have generated unprecedented focus on TIP issues and momentum in the GOK's handling of long-standing concerns. Due to the summer hiatus and the observance of Ramadan, it is unlikely that any significant progress will be made before October 26 when the National Assembly reconvenes. The increased awareness and extraordinary volume of public discussion of this issue is encouraging, however, and suggests that momentum may be building which will force the GOK to deal with labor abuses in a more coherent and systematic manner.

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